

HCS SB 186 -- RECORDERS OF DEEDS

SPONSOR: Cauthorn (Munzlinger)

COMMITTEE ACTION: Voted "do pass by consent" by the Committee on Local Government by a vote of 17 to 0.

Under current law, the circuit court of Marion County appoints the circuit clerk ex officio recorder of deeds. If the office is separated into district I circuit clerk and recorder of deeds, the court continues to appoint the district I circuit clerk. This substitute makes the position of circuit clerk ex officio recorder of deeds an elected position. The first election of the position will take place at the 2006 general election.

The substitute also clarifies that in counties where the clerk of the circuit court and the recorder of deeds have been separated, the office of recorder of deeds will be elected at the next general election.

The substitute also requires that the circuit clerk in any county, except the City of St. Louis, operating under the nonpartisan court plan must be appointed by a majority of the circuit judges and associate circuit judges of the circuit court. The clerk may be removable for cause by a majority of these judges. The substitute becomes effective on January 1, 2004. Elected circuit clerks in office at that time will continue to hold their office until the expiration of their elected terms.

FISCAL NOTE: No impact on state funds.

PROPOSERS: Supporters say that the voters want to elect the position of recorder of deeds.

Testifying for the bill was Senator Cauthorn.

OPPOSERS: There was no opposition voiced to the committee.

Steve Bauer, Legislative Analyst